

# SUMMARY REPORT DIGEST

## CHICAGO POLICE DEPARTMENT

COMPLAINT LOG NO.

1069865

TYPE

INFO

DATE OF REPORT (Day-Mo.-Yr)

08 September 2014

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: ☐ CHIEF ADMINISTRATOR,  
INDEPENDENT POLICE REVIEW AUTHORITY

☒ CHIEF,  
BUREAU OF INTERNAL AFFAIRS

FROM -INVESTIGATOR'S NAME

Najma Fowler

RANK

Sgt.

STAR NO.

2296

EMPLOYEE NO.

[REDACTED]

UNIT ASSIGN

005

UNIT DETAILED

412

REFERENCE NOS. (LIST ALL RELATED C.L., C. B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)

CL#109865

ADDRESS OF INCIDENT

95 S. Perry

DATE OF INCIDENT -TIME

03 May 2014, 1521 Hrs

BEAT OF INCIDENT

0511

ACCUSED	NAME		RANK	STAR NO.	EMPLOYEE NO.	UNIT ASSIGN.	UNIT DETAILED
	1. Brian P. Forberg		Sgt.	1373	[REDACTED]	005	212
	2. Bernadette T. Kelly		PO	7186	[REDACTED]	005	DNA
	3. James M. Delisle		PO	16849	[REDACTED]	005	DNA
	SEX/RACE	D.O.B.	DATE OF APPOINTMENT	DUTY STATUS (TIME OF INCIDENT)			
1. M/W	[REDACTED] 1960	10 July 1995	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN		
2. F/W	[REDACTED] 1982	17 Oct 2011	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN		
3. M/W	[REDACTED] 1965	21 June 1999	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN		
IF APPLIES, DATE ARRESTED/INDICTED			CHARGES		COURT BRANCH	DISPOSITION & DATE	
1. DNA							
2.							
3.							

COMPLAINANT	NAME		ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
		[REDACTED]		[REDACTED]	Park Forest	IL	[REDACTED]	F/B
VICTIMS	NAME		ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
	DNA							
WITNESSES	NAME		ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
	DNA							

☒ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES

\*\*IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX

The complainant alleges in a letter to Mayor Rahm Emanuel's Office (Att# 14 and #15) that on 03 May 2014 at 95 S. Perry, Chicago, IL, 60628 at 1521 hours, the accused officers:

Allegation #1 Refused to provide her with a report for a subject with a history of mental illness

Allegation #2 Refused to transport a subject with a history of mental illness to the hospital for a mental health assessment after she threatened her

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

On 03 July 2014, Reporting Sergeant (R/S) received C L. NO. 1069865 for investigation (Attachment #3 and #4)

On 08 July 2014, R/S mailed Chicago Police Department Complainant Letter to [REDACTED] at [REDACTED] Park Forest, IL 60466 (address listed on Face Sheet) via U S Postal Service certified mail and was received on 10 July 2014 per USPS.com (Attachment #6 and #7).

On 11 July 2014, R/S received a message from the 005th District Desk that complainant [REDACTED] had called and left telephone number [REDACTED] R/S spoke with victim on 11 July 2014 at 2200 hrs via Chicago Police Department telephone and agreed to meet on Tuesday, 15 July 2014 at 1700 hrs. at the Chicago Police Department, 005th District, located at 727 E. 111th Street.

On 15 July 2014 at 1700 hrs, R/S met with the victim at the Chicago Police Department located at 727 E. 111th st. R/S interviewed the complainant at which time the complainant did not want to pursue the complaint. (Attachment #9 and #10).

On 23 August 2014, R/S identified accused officers (Attachment #5, #11, #12, and #13).

SUMMARY

ATTACH- MENTS	INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	0	5,11, 12, 13	0	16

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted 2. That the accused member be reprimanded 3. That the accused member be suspended for -- days (not to exceed 5 days).

FINDINGS - RECOMMENDATIONS

Sgt. Brian P. Forberg #1373  
Allegations #1 and #2  
Finding - Unfounded / No Affidavit Signed  
Recommendations - No Disciplinary Action

P.O. Harvey Seals #13949  
Allegations #1 and #2  
Finding - Unfounded / No Affidavit Signed  
Recommendations - No Disciplinary Action

P.O. Bernadette T. Kelly #7186  
Allegations #1 and #2  
Finding - Unfounded / No Affidavit Signed  
Recommendations - No Disciplinary Action

P.O. Timothy E. Davis #8688  
Allegations #1 and #2  
Finding - Unfounded / No Affidavit Signed  
Recommendations - No Disciplinary Action

P.O. James M. Delisle #16849  
Allegations #1 and #2  
Finding - Unfounded / No Affidavit Signed  
Recommendations - No Disciplinary Action

DATE INITIATED (Date complaint was received for investigation)	DATE COMPLETED (Date of this report)	ELAPSED TIME (Total time expressed in days)
03 July 2014	08 September 2014	65
Investigator will initiate the Command Channel Review form by completing the Investigator's Section		

**SUMMARY REPORT DIGEST  
ATTACHED SHEET**

**C.L. NO. 1069865**

**Accused:**

	<b>NAME</b>	<b>RANK</b>	<b>STAR #</b>	<b>EMPLOYEE #</b>	<b>UNIT ASSIGN.</b>	<b>UNIT DETAILED</b>
#4)	Harvey Seals	PO	13949		005	DNA
#5)	Timothy Davis	PO	8688		005	DNA

	<b>SEX/RACE</b>	<b>D.O. B.</b>	<b>DATE OF APPOINT</b>	<b>DUTY STATUS</b>	<b>SWORN</b>
#4)	M/BLK	1972	16 April 2010	On Duty	Yes
#5)	M/BLK	1982	18 Dec 2006	On Duty	Yes

## ATTACHMENTS

LOG #1069865

1. Face Sheet
2. Sworn Affidavit – [REDACTED]
3. To-From Report from Sgt. Fowler #2296 – Assignment of Investigation
4. Notification RE: Automated Complaint - Sgt. Najma Fowler #2296- Assigned Investigator
5. Notification RE: Automated Complaint - Sgt. Brian Forberg #1373- Identified Accused
- 5A. Notification RE: Automated Complaint - P.O. Bernadette Kelly #7186 - Identified Accused
- 5B. Notification RE: Automated Complaint - P.O. James Delisle #16849- Identified Accused
- 5C. Notification RE: Automated Complaint - P.O. Harvey Seals #13949 - Identified Accused
- 5D. Notification RE: Automated Complaint – P.O. Timothy Davis #8688 - Identified Accused
6. To-From Report – Attempt to Contact [REDACTED] - Certified Letter Sent
7. Complainant Letter to [REDACTED] – Dated 06 July 2014
- 7A. Copy USPS Certified Mail Receipt and USPS Domestic Return Receipt – [REDACTED]
- 7B. Copy USPS.com Certified Mail Tracking – [REDACTED]
8. To-From Report – Phone Contact with [REDACTED] on 11 Jul 2014
9. Complaint Register Investigation Voluntary Termination signed by [REDACTED]
10. To-From Report – Interview with [REDACTED] on 15 Jul 2014
11. PCAD printout Event # [REDACTED] PCAD printout Event # [REDACTED]
12. 005<sup>th</sup> District Third Watch Schedule for 03 May 2014
13. 005<sup>th</sup> District Third Watch Attendance and Assignment Sheet for 03 May 2014
14. Intra Departmental Memo Superintendents Memo #14-772
15. Letter to Office of Mayor Emanuel from [REDACTED]
16. Request for Time Extension – Dated 02 August 2014